

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael J. Chambers, *et al.*
Serial No.: 10/665,607
Filed: September 19, 2003
Title: MOBILE TELEPHONE-BASED SYSTEM AND METHOD FOR
AUTOMATED DATA INPUT
Grp./A.U.: 2681
Examiner: Andrew Wendell

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being electronically
filed with United States Patent and trademark Office on:
October 19, 2006 (Date)
Debbie Sams
(Printed or typed name of person signing the certificate)
/Debbie Sams/
(Signature of the person signing the certificate)

Sir:

AFFIDAVIT UNDER 37 C.F.R. §1.131

I, Michael J. Chambers, hereby state:

1. I am an inventor of the claimed subject matter in the Patent Application identified above and an inventor of the subject matter described therein.
2. Prior to July 15, 2003, my co-inventor and I participated in the conception of a mobile telephone-based system and method for automated data input and a method of operation thereof, as covered by the above-identified Patent Application and evidenced by the following:

a. We submitted an Invention Submission of the above referenced Patent Application to in-house patent counsel of the assignee prior to July 15, 2003. On information and belief, the assignee uses Invention Submissions in the regular course of business to provide details of conceived inventions for preparing patent applications. A true and correct copy of this Invention Submission form is attached hereto as Exhibit 'A'.

b. The Invention Submission form sufficiently demonstrates that we had possession of the present invention for a Mobile Telephone-Based System and Method for Automated Data Input before July 15, 2003. More specifically, 'Section 4' of the Invention Submission (Exhibit 'A'), states:

The mobile phone with camera takes a photo of the business card. This photo is sent to a server. For example via SMS or MMS. The server analyses the image of the business card and returns the contact information to the user in a format such that it can be automatically inserted into a database of the user's choice.

c. Any dates omitted from Exhibit A are prior to July 15, 1993.

3. Thereafter, we participated in the subsequent preparation and filing of the above referenced Patent Application in the United States which was diligently prepared from, at least, just prior to July 15, 2003, until the Patent Application was filed with the U.S.P.T.O. on September 19, 2003, as evidenced by Exhibits 'B'-'F'.

a. For example, on information and belief, a letter was sent to patent counsel in the Federal Republic of Germany ("Germany") on April 3, 2003, requesting an application be drafted for the above Invention Submission, as evidenced by Exhibit 'B'. Exhibit 'B' further states that this application should then be forwarded to in-house counsel for the assignee for filing within the United States.

b. We discussed the invention and preparation of the application with patent counsel in Germany and reviewed proposed drafts thereof.

c. On information and belief, instructions to prepare the application for filing with the U.S.P.T.O were received on July 24, 2003, by the law firm of Hitt Gaines, P.C. as evidenced by Exhibit 'C.'

d. On information and belief, the application, as revised by the law firm of Hitt Gaines, P.C., was sent to us, the inventors, on August 1, 2003, as evidenced by Exhibit 'D.' We indicated approval of the revised application on August 26, 2003, as also evidenced by Exhibit 'D.'

e. On information and belief, the final draft applications were sent to me by Hitt Gaines, P.C. on September 5, 2003, for review by me and my co-inventor as evidenced by Exhibits 'E1' and 'E2.'

f. After the final draft of the present application was completed and ready for filing, we signed the Declaration and Power of Attorney forms on September 10, 2003, as evidenced by Exhibit 'F'.

g. On information and belief, the Patent Application was then filed with the U.S.P.T.O. on September 19, 2003.

4. I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the Application or any patent issuing thereon.

M. J. Chambers

Michael J. Chambers

Date: 14th October 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Serial No.: 10/665,607
Filed: September 19, 2003
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I hereby certify that this correspondence is being electronically
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Sir:

AFFIDAVIT UNDER 37 C.F.R. §1.131

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1. I am an inventor of the claimed subject matter in the Patent Application identified above and an inventor of the subject matter described therein.
2. Prior to July 15, 2003, my co-inventor and I participated in the conception of a mobile telephone-based system and method for automated data input and a method of operation thereof, as covered by the above-identified Patent Application and evidenced by the following:

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b. The Invention Submission form sufficiently demonstrates that we had possession of the present invention for a Mobile Telephone-Based System and Method for Automated Data Input before July 15, 2003. More specifically, 'Section 4' of the Invention Submission (Exhibit 'A'), states:

The mobile phone with camera takes a photo of the business card. This photo is sent to a server. For example via SMS or MMS. The server analyses the image of the business card and returns the contact information to the user in a format such that it can be automatically inserted into a database of the user[']s choice.

c. Any dates omitted from Exhibit A are prior to July 15, 1993.

3. Thereafter, we participated in the subsequent preparation and filing of the above referenced Patent Application in the United States which was diligently prepared from, at least, just prior to July 15, 2003, until the Patent Application was filed with the U.S.P.T.O. on September 19, 2003, as evidenced by Exhibits 'B'-'F'.

a. For example, on information and belief, a letter was sent to patent counsel in the Federal Republic of Germany ("Germany") on April 3, 2003, requesting an application be drafted for the above Invention Submission, as evidenced by Exhibit 'B'. Exhibit 'B' further states that this application should then be forwarded to in-house counsel for the assignee for filing within the United States.

b. We discussed the invention and preparation of the application with patent counsel in Germany and reviewed proposed drafts thereof.

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e. On information and belief, the final draft applications were sent to my co-inventor by Hitt Gaines, P.C. on September 5, 2003, for review by me and my co-inventor as evidenced by Exhibits 'E1' and 'E2.'

f. After the final draft of the present application was completed and ready for filing, we signed the Declaration and Power of Attorney forms on September 10, 2003, as evidenced by Exhibit 'F'.

g. On information and belief, the Patent Application was then filed with the U.S.P.T.O. on September 19, 2003.

4. I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the Application or any patent issuing thereon.

Michael Kiessling

Michael Kiessling

Date: Fürising, 13. Okt. 2006

EXHIBIT A

III

AGERE SYSTEMS INVENTION SUBMISSION

This invention submission is being provided to an attorney in order to determine how to protect intellectual property and to facilitate efforts to acquire appropriate protection. Distribution of this invention submission shall be limited to attorneys and persons acting on behalf of Agere to facilitate making such determinations.

Name(s) of Submitters	Telephone No.	Loc/Room	SBU/Org. Title	HR ID:	E-Mail Address
Michael Kiesling	+49 89 45918421	Optimay/04-55	Optimay	0918162	mkiesling@agere.com
Chambers, Michael Joseph	+49 89 45918534	Optimay/04-55	Optimay	0976266	michambers@agere.com
					m

TITLE: Business card input via mobile phone camera

Important Notes: (1) Keep in mind that your submission should be written so it can be understood in 5 to 10 minutes by a generalist.

Avoid the use of undefined acronyms and jargon. Keep the language simple. (2) Have any of the above submitter(s) discussed this invention with, or provided an invention submission

discussing this invention to, an attorney other than the recipient of this invention submission? ☐ YES ☒ NO

IP LAW USE	
Submission No:	<u>LSU 1019</u>
Date Received:	
Attorney:	<u>J. K. Schmit</u>

1. Describe the problem your invention solves:

The information on a business card is entered into a contacts database by just taking a photograph of the business card using the camera integrated in a mobile telephone.

2. Based on information of which you are already aware, describe:

(i) previous attempts to solve the problem your invention solves:

Currently this is done using an external business card scanner or by entering the information manually.

(ii) the disadvantages of the previous attempts:

Externally connected, expensive device is needed; less comfortable

3. Summarize (30 words or less) the new feature(s) of your invention that solve the problem:

The mobile phone with camera takes a photo of the business card. A server processes the image and returns the contact information in a format of the users choice.

4. Succinctly describe your invention, referring to drawings, sketches, photographs, etc., in sufficient detail to enable one knowledgeable in the invention's field of technology to understand construction and operation of the invention. Drawings, etc., should show only those features necessary for an understanding of the invention. Describe how/why your invention overcomes the disadvantages noted in 2. (ii) above.

The mobile phone with camera takes a photo of the business card. This photo is sent to a server. For example via SMS or MMS. The server analyses the image of the business card and returns the contact information to the user in a format such that it can be automatically inserted into a database of the users choice.

5. Advantages of your invention:

Every standard mobile phone with camera could be used to access the server-based service to scan the contact information. Server based spelling correction systems could also be used.

6. Explain how use of your invention would be detected:

This type of service would need to be advertised by mobile network providers before it is used by mobile telephone users

*** Provide the information requested in this box on each page of the submission, as well as drawings, sketches, photographs, etc. ***

Submitter(s) signature(s) and date:

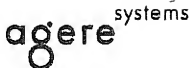
Michael Kiesling
M. J. Chambers

This invention submission has been read and understood by the following two witnesses:

J. K. Schmit
Wolfgang Schmit

ATTORNEY-CLIENT PRIVILEGED DOCUMENT

EXHIBIT B



Kyshon J. Rivers
Outside Counsel
Coordinator
Intellectual Property Law

Connell Corporate Center IV
4 Connell Drive
Room 4U-5330
Berkeley Heights, NJ 07922
Tel: 908-508-8514
Fax: 908-508-8326
kiwers@agere.com
www.agere.com

April 3, 2003

Burkart Bill
Blumbach, Kramer & Partner
European Patent Attorneys
Alexandrastrabe 5
D-65187 Wiesbaden
Federal Republic of Germany

Re: IDS No.: 124619
Managing Attorney
John Veschi
Secretary
Rachel Panczynsin

(CLASS III)
Telephone No.
(610) 712-3753
Telephone No.
(610) 712-3757

Fax No.
(610) 712-3774

Dear Mr. Bill:

The above-referenced patent submission enclosed with this letter should be prepared by July 3, 2003.

As discussed in Richard Botos' letter dated February 27, 2003, once your firm has prepared the application, please forward the application to me and I will in turn forward it to the Agere managing attorney for filing in the United States.

Please submit a bill for payment to me after you have prepared and sent the application to me.

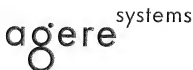
Very truly yours,

A handwritten signature in dark ink, appearing to read "K. Rivers", written over the printed name.

Kyshon J. Rivers

Enc.

REC'D JUL 24 2003



Kyshon J. Rivers
Outside Counsel
Coordinator
Intellectual Property Law

Connell Corporate Center IV
4 Connell Drive
Room 4U-533D
Berkeley Heights, NJ 07922
Tel: 908-508-8514
Fax: 908-508-8326
krivers@agere.com
www.agere.com

July 23, 2003

Charles W. Gaines, Esq.
Hitt Gains, P.C.
225 University Plaza
275 W. Campbell Road
Richardson, TX 75080

Re: IDS No.: 124619
Managing Attorney
John Veschi
Secretary
Rachel Panczynsin

(CLASS III)
Telephone No.
(610) 712-3753
Telephone No.
(610) 712-3757

Fax No.
(610) 712-3774

Dear Charles:

The above-referenced patent submission enclosed with this letter should be filed by **October 23, 2003** in accordance with Agere's general instructions for Outside Counsel, previously furnished to you. If, for any reason, you cannot meet the filing date requested, you **MUST** notify the Managing Attorney (MA) and me, VIA FACSIMILE, as soon as possible.

After the final claims have been drafted and you are therefore in a position to identify the inventors, please send "Request for Case Name/Number" (ATTACHMENT G), VIA FACSIMILE, to me at (610) 712-8544.

Unless the MA has otherwise agreed, our instructions are that a copy of the proposed application is to be sent to the MA prior to execution of the Declaration and Assignment; likewise, all other substantive papers such as amendments, appeal briefs and the like are to be sent to the MA prior to filing. Please note, however, that the MA may not be in a position to review the application or other papers prior to filing, or may choose to conduct only a quality control review either now or at a later time. Accordingly, the ultimate responsibility for the timely filing as well as the quality and contents of the papers of this application and any resulting patent rests with you. **If you do not receive specific instructions from the MA within eight (8) business days from the date that the application or any subsequent papers were submitted to the MA, you are authorized and directed to transmit same directly to the USPTO.**

This application will not be foreign filed.

If, during the prosecution of an application, you believe that a CPA/CIP, Divisional, Appeal, etc. should be filed, your advice should be presented to the Managing Attorney for concurrence, prior to commencement of any work.

Very truly yours,

A handwritten signature in cursive script, appearing to read "K. Rivers".

Kyshon J. Rivers

Enc.

Stephanie Pritt

From: Liz Schumacher
Sent: Tuesday, August 26, 2003 8:40 AM
To: David Hitt; Stephanie Pritt
Subject: FW: AGER-124619 (CHAMBERS --)

-----Original Message-----

From: Chambers, Michael Joseph (Michael) [mailto:mjchambers@optimay.com]
Sent: August 26, 2003 3:03 AM
To: Liz Schumacher
Cc: 'mkiessling@agere.com'
Subject: RE: AGER-124619 (CHAMBERS --)

Hi Liz,

Michael and I have read the document and accept it in its present form.

Thanks, Mike

-----Original Message-----

From: Liz Schumacher [mailto:LSchumacher@Abstractassets.com]
Sent: Freitag, 1. August 2003 23:46
To: 'mkiessling@agere.com'; 'mjchambers@agere.com'
Subject: AGER-124619 (CHAMBERS --)

I attach a proposed draft of the above-identified patent application for your review. I believe this draft incorporates all of your comments to date.

Please carefully review the enclosed application, along with any co-inventors. Please edit and make comments to the application, as appropriate (preferably in red ink). Your focus in reviewing the application is to ensure that the proposed application: (1) contains a clear and complete written description of your invention, (2) sets forth the best mode contemplated by you for carrying out the invention, and (3) contains a sufficient disclosure to enable a person skilled in the pertinent art to make and use the invention.

Upon completion of your review, e-mail me your at dhitt@abstractassets.com with your comments or approval. If you have any questions or comments, please do not hesitate to call.

David H. Hitt
HITT GAINES, PC
275 W. Campbell Road
Suite 225
Richardson, Texas 75080
(972) 480-8800

(972) 480-8865 Fax

HITT GAINES, P.C.
Intellectual Property Law & Related Matters

September 5, 2003

Michael J. Chambers
OPTIMAY
Orleanstrasse 4
Muenchen, 81669 DE
GERMANY

VIA DHL EXPRESS

Re: U.S. Patent Application
IDS No.: 124618; Case Name: M. CHAMBERS 2-1
Our File: AGER-124619

Dear Michael:

I enclose a final draft of the above-identified patent application for you and your co-inventor's review. I believe the final draft incorporates all of your comments to date. In addition, I enclose an Assignment and a Declaration and Power of Attorney.

Please execute the Assignment and Declaration and Power of Attorney, where indicated, along with your co-inventor, Michael Kiessling. The Assignment assigns the entire interest in this invention to Agere Systems Inc. Please note that the Assignment must be witnessed. Upon execution, kindly return these executed documents, together with the enclosed final draft of the application, to me for filing by **September 19, 2003**.

If you have any questions or comments, please do not hesitate to call. Thank you once again for your continued cooperation.

Very truly yours,

HITT GAINES, P.C.

David H. Hitt/sp

David H. Hitt

DHH/sp
Enclosures

2008 9

EXHIBIT F

ATTORNEY DOCKET NO.: M. CHAMBERS 2-1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration and Power of Attorney

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled "MOBILE TELEPHONE-BASED SYSTEM AND METHOD FOR AUTOMATED DATA INPUT," the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment, if any, specifically referred to in this oath or declaration.

I acknowledge the duty to disclose to all information known to me which is material to the patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>NUMBER</u>	<u>COUNTRY</u>	<u>DATE FILED</u>	<u>PRIORITY CLAIMED</u>
	None		

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

<u>US/PCT Serial Num</u>	<u>Date Filed</u>	<u>Status</u>
None		

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorney(s) with full power of substitution and revocation, to prosecute said application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith:

Lester H. Birnbaum	(Reg. No. 25,830)
Richard J. Botos	(Reg. No. 32,016)
Gerard A. deBlasi	(Reg. No. 34,149)
Anthony Grillo	(Reg. No. 36,535)
Mark A. Kurisko	(Reg. No. 38,944)
Robert P. Marley	(Reg. No. 32,914)
Scott W. McLellan	(Reg. No. 30,776)
Geraldine Monteleone	(Reg. No. 40,097)
Scott J. Rittman	(Reg. No. 39,010)
Ferdinand M. Romano	(Reg. No. 32,752)
David L. Smith	(Reg. No. 30,592)
John P. Veschi	(Reg. No. 39,058)

I hereby appoint the attorney(s) on ATTACHMENT A as associate attorney(s) in the aforementioned application, with full power solely to prosecute said application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected with the prosecution of said application. No other powers are granted to such associate attorney(s) and such associate attorney(s) are specifically denied any power of substitution or revocation.

Full name of first inventor: Michael J. Chambers

Inventor's signature: M. J. Chambers Date: 10th September 2003

Residence: City of Erlangen
Country of Germany

Citizenship: United Kingdom

Post Office Address: Am Europakanal 40
Erlangen, Germany 91056

Full name of second inventor: Michael Kiessling

Inventor's signature: Michael Kiessling Date: 10.9.03

Residence: City of Freising
Country of Germany

Citizenship: Germany

Post Office Address: Gartenstrasse 25
Freising, Germany 85354

ATTACHMENT A

Attorney Name(s):

David H. Hitt	Registration No. 33,182
Charles W. Gaines	Registration No. 36,804
Greg H. Parker	Registration No. 44,995
Jimmy L. Heisz	Registration No. 38,914
Richard D. Krobusek	Registration No. 44,851
J. Joel Justiss	Registration No. 48,981
Ron J. Corbett	Registration No. 47,500
M. Norwood Cheairs	Registration No. 20,382

Telephone calls should be made to David H. Hitt of HITT GAINES, P.C. at:

Phone No.:	(972) 480-8800
Fax No.:	(972) 480-8865

All written communications are to be addressed to:

David H. Hitt
HITT GAINES, P.C.
P.O. Box 832570
Richardson, Texas 75083

Atty. Docket No.: M. CHAMBERS 2-1